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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,441	05/15/2006	Simon Schambony	290434US0PCT	7849
22850 7590 07/03/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET			EXAMINER	
			MULCAHY, PETER D	
ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER
			1713	
	•		NOTIFICATION DATE	DELIVERY MODE
		•	07/03/2007	ELECTRONIC

# Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com oblonpat@oblon.com jgardner@oblon.com

	Application No.	Applicant(s)			
	10/579,441	SCHAMBONY ET AL.			
Office Action Summary	Examiner	Art Unit			
	Peter D. Mulcahy	1713			
The MAILING DATE of this communication ap	pears on the cover sheet with th	e correspondence address			
Period for Reply	VIO OFT TO EVOIDE ALAONI	CIVO) OF THETY (20) PAVO			
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D  - Extensions of time may be available under the provisions of 37 CFR 1.7 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period  - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNICATION (a). In no event, however, may a reply be will apply and will expire SIX (6) MONTHS for cause the application to become ABANDO	ON. e timely filed  rom the mailing date of this communication.  DNED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on 15 M	<i>May</i> 2006.				
	This action is <b>FINAL</b> . 2b)⊠ This action is non-final.				
,	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
closed in accordance with the practice under	Ex parte Quayle, 1935 C.D. 11	, 453 O.G. 213.			
Disposition of Claims					
4)⊠ Claim(s) <u>44-68</u> is/are pending in the application	on.				
4a) Of the above claim(s) is/are withdra	wn from consideration.				
5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>44-68</u> is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/o	or election requirement.				
Application Papers					
9) The specification is objected to by the Examine	er.				
10) The drawing(s) filed on is/are: a) acc	cepted or b) objected to by the	ne Examiner.			
Applicant may not request that any objection to the	drawing(s) be held in abeyance.	See 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the correct	, -, ,	•			
11) ☐ The oath or declaration is objected to by the E	xaminer. Note the attached Off	ice Action or form PTO-152.			
Priority under 35 U.S.C. § 119					
12)⊠ Acknowledgment is made of a claim for foreigr a)⊠ All b)□ Some * c)□ None of:	n priority under 35 U.S.C. § 119	0(a)-(d) or (f).			
1. Certified copies of the priority documen	ts have been received.				
2. Certified copies of the priority documen	ts have been received in Applic	eation No			
<ol><li>Copies of the certified copies of the price</li></ol>	ority documents have been rece	eived in this National Stage			
application from the International Burea					
* See the attached detailed Office action for a list	t of the certified copies not rece	ived.			
		•			
Attachment(s)					
1) Notice of References Cited (PTO-892)	4) Interview Summ Paper No(s)/Ma				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)	5) Notice of Inform				
Paper No(s)/Mail Date <u>5/15/06</u> .	6) Other:				

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### **DETAILED ACTION**

## Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 44-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 01 024852.
- 3. This patent document teaches process for treating organic materials with compounds that are seen to fall with in the scope of those claimed, see page 3 of the translation. Formula IV is seen to have substituents that, when selected, can be the same as those claimed. One of ordinary skill would be motivated to select the claimed substituents given the suggestion to do so. As such, the claims are rendered prima facie obvious.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter D. Mulcahy whose telephone number is 571-272-1107. The examiner can normally be reached on Mon.-Fri. 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Peter D. Mulcahy Primary Examiner Art Unit 1713

6/20/07